

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

WANDA RENEE TYREE,

Debtor.

WANDA RENEE TYREE,

Movant,

vs.

**GABRIEL GUZMAN and HAIT &
EICHELZER,**

Respondents.

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CASE NO.: 10-68797-MHM

**DEBTOR'S RESPONSE TO MOVANT'S STATEMENT OF DAMAGES AND
REQUEST FOR HEARING**

COME NOW, Gabriel Guzman and Hait & Eichelzer ("the Respondents"), and Responds to Movant's Statement of Damages and respectfully request a hearing on Movants Statement of Damages and shows the court as follows:

1

The Court entered an Order Granting Movant's Motion on September 27, 2010. For reasons unknown to Respondent, the court ordered that the September 27, 2010 Order not be served on the Respondents. (See attached Exhibit A, Order of September 27, 2010 with attached certificate of service from the court). Respondents first notice of the Order of September 27, 2010 was service of the Movant's Statement of Damages which occurred on October 7 2010.

2.

The Court in the September 27, 2010 Order directed Respondent to file a written response to Movants Statement of Damages within 10 days of the filing of the Movant's Statement of Damages. The tenth day from October 7, 2010 was Sunday October 17, 2010. Respondent is filing their response on Monday, October 18, 2010. Therefore, Respondent is filing their written response within ten (10) days in accordance with the federal rules.

3.

The court ordered Respondent to take necessary steps to affect the turnover of all the property to the Chapter 7 trustee. However, respondent was not served with the September 27, 2010 Order for reason unknown to the respondent. Respondent is now taking steps to turn the property over to the Chapter 7 Trustee and to pay any remaining storage fees.

4.

Movant filed an itemization of attorney's fees, totaling \$6,967.50. Respondent would like the opportunity to show the court that these fees are inflated and unreasonable, and the opportunity to examine counsel on their itemization. Respondent requests a hearing to have an opportunity to prove to the court the inflation and unreasonableness of this itemization, to examine counsel for the Movant of this itemization, and for other issues regarding the courts Order of September 27, 2010.

Respectfully submitted,

HAIT & EICHELZER

By: /s/
Alexander Gray Hait
GA Bar No.: 316359
P. Kent Eichelzer, III
GA Bar No.: 242315
Attorney for the Debtor
185 Stockwood Drive, Suite 100
Woodstock, Georgia 30188
770-517-0045

CERTIFICATE OF SERVICE

The undersigned verifies that on October 18, 2010 a copy of the foregoing document was deposited into the United States Mail, postage prepaid, to the following parties set forth below.

 /s/
P. Kent Eichelzer, III

Edwin K. Palmer
Chapter 7 Trustee
P.O. Box 1284
Decatur, GA 30031

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